



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BAKER *et al.*

Appl. No.: 10/551,209

Filed: September 28, 2005

For: **Methods of Identifying Optimal Variants of Peptide Epitopes**

Confirmation No.: 8322

Art Unit: 1644

Examiner: M. DiBrino

Atty. Docket: 2473.0260001/EKS/PAC

**Second Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(c)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on July 11, 2006 in connection with the above-captioned application.

Copies of documents **FP32** and **NPL159** to **NPL300** are submitted.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents, FP32, cited on Form PTO/SB/08A, and NPL291, cited on Form PTO/SB/08B:

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Document **FP32**, EP 0 226 513 A1, is in a foreign language. An English language abstract of document FP32 is cited and submitted herewith as document **NPL300**.

Document **NPL291**, Verhoef, J.C., *et al.*, "Des-enkephalin- γ -endorphin (DE γ E): Biotransformation in Rat, Dog and Human Plasma," *European Journal of Drug Metabolism and Pharmacokinetics* 11:291-302, Medicine ET Hygiene, Geneva, Switzerland (1986), is in a foreign language. An English language summary of document NPL291 may be found on page 291 of the publication.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

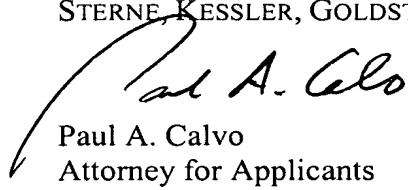
This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. The required fee is provided herewith in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 1/19/10

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